

PRO SE OFFICE JS

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SHERMAN BROWN,

Plaintiff,

PLAINTIFF'S NOTICE OF MOTION
FOR 2ND AMENDED COMPLAINT
07-Civ-9789 (RJH) pro se

-against-

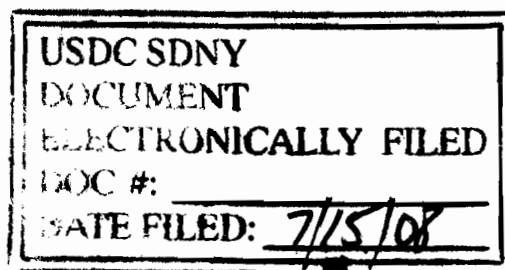
RITA FLYNN; et.al;

Defendant's.

-----X
STATE OF NEW YORK)

SS:

COUNTY OF ORANGE)



I, Sherman Brown, affirm the following, being duly sworn deposes and says:

1. I am the Plaintiff in this action, and respectfully submit this motion for a second amended complaint.
2. I have personal knowledge of the facts which bear on this motion because I am presently under parole supervision of the State of New York and a victim of the defendant's deliberate indifference to Plaintiff's serious medical needs.
3. Plaintiff is requesting a second amended complaint in this action due to important facts that are not mentioned in the first amended complaint.

Wherefore: Plaintiff prays that Your Honor will accept Plaintiff's request

for a second amended complaint in the above captioned action.

SO ORDERED

7/15/08 Theodore H. Katz
Plaintiff Pro Se
SHERMAN BROWN
Orange County Jail
110 Wells Farm Road
Goshen, New York 10924
THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE

COPIES MAILED
TO COUNSEL OF RECORD ON 7/15/08

Plaintiff's motion is denied, as Plaintiff failed to submit a Proposed Second Amended Complaint for the Court's and Referee's review. If Plaintiff still seeks to amend the Complaint, he should first submit a copy of the Proposed Second Amended Complaint to the Court and Referee's counsel.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHERMAN BROWN,

Plaintiff,

AFFIRMATION OF SERVICE

07-Civ- 9789 (RJH) pro se

-against-

RITA FLYNN, et.al;


Defendant's.

I, Sherman Brown, declare under penalty or perjury that I served a copy of the attached motion for a second amended complaint upon the Pro Se Office of the United States District Court, Southern District of New York, to be filed and served upon the Honorable Richard J. Howell, United States District Judge, Southern District of New York. Address: 500 Pearl Street, Room 1950. New York, New York 10007-1312

***Pro Se Clerk, please file enclosed motion and affirmation of service and forward a courtesy copy of same to Mr. Schulman, (4398) Assistant Attorney General of the State of New York at 120 Broadway, New York, New York.**

Thank You

**Dated: April 23, 2008
Goshen, New York**


**Plaintiff Pro Se
Sherman Brown
Orange County Jail
110 Wells Farm Road
Goshen, New York 10924**